



I-2025-000358 Book 0631 Pg 101
02/04/2025 2:49pm Pg 0101-0118
Fee: \$52.00 Doc: \$0.00
Timothy Fishinghawk - Adair County Clerk
State of OK

CITY OF STILWELL ORDINANCE 440

AN ORDINANCE REVISING, UPDATING AND CONFIRMING THE VOLUNTEER FIRE DEPARTMENT OF THE CITY OF STILWELL, OKLAHOMA; PROVIDING RULES AND REGULATIONS FOR GOVERNANCE OF SAID DEPARTMENT; AND REPEALING STILWELL CITY ORDINANCES NO. 360, 373, 373-A, 373-B, 435, AND ALL OTHER ORDINANCES OR PORTIONS THEREOF IN CONFLICT THEREWITH

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF STILWELL, STATE OF OKLAHOMA THE FOLLOWING:

STILWELL FIRE DEPARTMENT BYLAWS

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ARTICLE I. CREATING THE DEPARTMENT

A VOLUNTEER FIRE DEPARTMENT WITH NOT MORE THAN TWO FULL TIME SALARIED FIREFIGHTERS AND NOT LESS THAN 12 NOR MORE THAN 23 VOLUNTEER FIREFIGHTERS HAVING BEEN CREATED BY ORDINANCE NUMBER 61 OF THE CITY OF STILWELL IS HEREBY REAFFIRMED.

ARTICLE II. CREATING THE NAME OF THE DEPARTMENT.

THE NAME OF THE ORGANIZATION WAS THEREBY ESTABLISHED AND CONTINUES TO BE THE STILWELL FIRE DEPARTMENT.

ARTICLE III. DEPARTMENT SUBJECT TO GUIDELINES.

- A) THE DEPARTMENT SHALL CONFORM TO THE GUIDELINES OF THE STILWELL PERSONNEL POLICY HANDBOOK.
- B) THE DEPARTMENT SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF THE CITY, THE STATE OF OKLAHOMA, AND ALL APPLICABLE FEDERAL REQUIREMENTS.

ARTICLE IV. FIRE CHIEF

THE FIRE CHIEF OF THE STILWELL FIRE DEPARTMENT SHALL BE A FULL-TIME EMPLOYEE OF THE CITY IN ACCORDANCE WITH CURRENT ORDINANCES AND THE PERSONNEL POLICY HANDBOOK OF THE CITY OF STILWELL WITH ALL DUTIES AND RESPONSIBILITIES AS A DEPARTMENT HEAD. THE FIRE CHIEF WILL SERVE AT THE DISCRETION OF THE CITY OF STILWELL CITY COUNCIL AND WILL REPORT TO THE MAYOR OF THE CITY OF STILWELL.

THE CHIEF SHALL, AT A MINIMUM, BE AN OKLAHOMA STATE CERTIFIED FIREFIGHTER CLASS 2 OR EQUIVALENT WITH A MINIMUM OF FIVE (5) YEARS OF SERVICE IN AN ADMINISTRATIVE ROLE. THESE AND ANY OTHER MINIMUM REQUIREMENTS SHALL BE ESTABLISHED AND AMENDED AS NEEDED BY THE STILWELL CITY COUNCIL.

- A) **THE CHIEF** SHALL BE AT THE HEAD OF THE DEPARTMENT, SUBJECT TO THE LAWS OF THE STATE OF OKLAHOMA, THE ORDINANCES OF THE CITY OF STILWELL, AND THE RULES, REGULATIONS AND STANDARD OPERATING GUIDELINES OF THE CITY OF STILWELL AND THE STILWELL FIRE DEPARTMENT.
- B) **THE CHIEF** SHALL BE RESPONSIBLE FOR THE GENERAL CONDITION AND EFFICIENT OPERATION OF THE DEPARTMENT, THE TRAINING OF MEMBERS AND THE PERFORMANCE OF ALL OTHER DUTIES IMPOSED UPON HIM/HER BY LAW OR MUNICIPALITY.
- C) **THE CHIEF** SHALL INSPECT, OR CAUSE TO BE INSPECTED, THE FIRE HYDRANTS, CISTERNS AND OTHER SOURCES OF WATER SUPPLY AT LEAST TWICE EACH YEAR.
- D) **THE CHIEF** SHALL MAINTAIN A LIBRARY OR FILE OF PUBLICATIONS ON FIRE PREVENTION AND FIRE PROTECTION AND SHALL MAKE USE OF IT TO THE BEST ADVANTAGE OF THE CITY OF STILWELL AND THE STILWELL FIRE DEPARTMENT. THE LIBRARY SHALL BE MAINTAINED AT FIRE STATION #1 IN THE CITY OF STILWELL.
- E) **THE CHIEF** SHALL MAKE EVERY EFFORT TO ATTEND ALL FIRE DEPARTMENT RELATED EMERGENCIES AND DIRECT THE FIRE DEPARTMENT PERSONNEL IN THE PERFORMANCE OF THEIR DUTIES.

F) **THE CHIEF** SHALL SEE THAT EACH FIRE IS CAREFULLY INVESTIGATED TO DETERMINE ITS CAUSE AND, IN THE CASE OF SUSPICION OF INCENDIARISM, SHALL NOTIFY THE PROPER AUTHORITIES AND TAKE PRECAUTIONS TO SECURE AND PRESERVE ALL POSSIBLE EVIDENCE FOR FUTURE USE IN THE CASE.

G) **THE CHIEF** SHALL FILE THE APPROPRIATE ACTIVITY REPORT FORMS WITH THE OFFICE OF THE STATE FIRE MARSHAL IN OKLAHOMA CITY ON AN ANNUAL BASIS. THE ACTIVITY REPORT FORMS SHALL BE DESIGNED BY THE STATE FIRE MARSHAL AND SHALL INCLUDE, BUT NOT BE LIMITED TO:

1. THE AMOUNT OF PROPERTY AND VEHICLE FIRE LOSS,
2. TYPES OF FIRES, INSPECTIONS, AND INVESTIGATIONS,
3. NOTIFICATION OF ALL FIRE-RELATED CIVILIAN DEATHS AND INJURIES IN THE RESPECTIVE AREA AND
4. NOTIFICATION OF FIREFIGHTER DEATHS IN THE LINE OF DUTY AND FIREFIGHTER INJURIES IN THE LINE OF DUTY REQUIRING THE SERVICES OF A HOSPITAL OR PHYSICIAN OR BOTH.

H) **THE CHIEF** WILL INSPECT OR CAUSE TO BE INSPECTED, ON AN ANNUAL BASIS, ALL PUBLIC AND COMMERCIAL BUILDINGS WITHIN THE CITY LIMITS. THE CHIEF IS ALSO EMPOWERED TO TAKE EVERY POSSIBLE LEGAL PRECAUTION TO PREVENT FIRES AND GUARD THE PUBLIC FROM ANY UNSAFE CONDITIONS WHICH MAY EXIST.

I) **THE CHIEF** SHALL MAINTAIN A CURRENT INVENTORY OF ALL EQUIPMENT AND PROPERTY OF THE FIRE DEPARTMENT. SUCH INVENTORY SHALL BE KEPT AT FIRE STATION #1 AND UPDATED IN A TIMELY MANNER WITH CITY HALL.

J) **THE CHIEF** SHALL HAVE THE AUTHORITY TO APPOINT REPRESENTATIVES FROM THE MEMBERSHIP OF THE DEPARTMENT TO ASSIST IN THE PERFORMANCE OF HIS/HER OFFICIAL DUTIES.

K) **THE CHIEF** SHALL ADMINISTER AND MAINTAIN THE CIVIL DEFENSE DEPARTMENT AND SHALL FOLLOW ANY AND ALL CIVIL DEFENSE GUIDELINES ENACTED BY THE CITY, STATE, AND FEDERAL GOVERNMENT.

L) **THE CHIEF** SHALL ATTEND ALL CITY STAFF MEETINGS AND CITY COUNCIL MEETINGS UNLESS PRIOR APPROVAL FROM THE MAYOR IS GRANTED FOR MISSING THE MEETINGS.

M) **THE CHIEF** SHALL WORK WITH ALL OTHER DEPARTMENTS OF THE CITY TO ENSURE COMPLIANCE WITH CURRENT FIRE CODE STANDARDS.

ARTICLE V. CREATION OF OFFICERS AND REQUIREMENTS FOR OFFICERS.

OFFICERS OF THE DEPARTMENT SHALL BE SELECTED BY THE FIRE CHIEF WITH THE FINAL APPROVAL FROM THE CITY COUNCIL. EXCEPTIONS TO THE STATED MINIMUM REQUIREMENTS MAY BE MADE BY THE CITY COUNCIL.

A) **THE ASSISTANT CHIEF** SHALL BE REQUIRED TO HAVE BEEN A FIREFIGHTER FOR A MINIMUM OF FIVE(5) YEARS OF EXPERIENCE AND A CERTIFIED FIREFIGHTER CLASS 2.

B) **CAPTAINS** SHALL BE REQUIRED TO HAVE BEEN A FIREFIGHTER FOR A MINIMUM OF THREE(3) YEARS AND A CERTIFIED FIREFIGHTER CLASS 1.

C) **THE SECRETARY/TREASURER** SHALL BE, SUBJECT TO COUNCIL DISCRETION, THE SECOND FIREFIGHTER FULLY EMPLOYED BY THE CITY.

D) **THE TRAINING OFFICER** SHALL BE A CERTIFIED FIREFIGHTER CLASS I, AND IN ADDITION MEET ONE OF THE FOLLOWING REQUIREMENTS:

1. INSTRUCTOR LEVEL 2 AND THREE (3) YEARS' EXPERIENCE; OR,
2. INSTRUCTOR LEVEL 1 AND AT LEAST FIVE (5) YEARS' EXPERIENCE.

ARTICLE VI. DUTIES OF OFFICERS AND FIREFIGHTERS

SECTION 1. THE ASSISTANT CHIEF

A) IN THE ABSENCE OF THE CHIEF, **THE ASSISTANT CHIEF** ON DUTY SHALL COMMAND THE DEPARTMENT AND BE RESPONSIBLE IN ALL ASPECTS WITH THE FULL POWERS AND RESPONSIBILITIES OF THE CHIEF.

B) **THE ASSISTANT CHIEF** SHALL PERFORM ANY OTHER DUTIES AS ASSIGNED BY THE CHIEF.

SECTION 2. CAPTAINS

A) **CAPTAINS** SHALL BE SELECTED UPON THEIR ABILITY TO MEET THE FOLLOWING REQUIREMENTS:

1. THEIR KNOWLEDGE OF FIREFIGHTING.
2. THEIR LEADERSHIP ABILITY.
3. THEIR KNOWLEDGE OF RESCUE TECHNIQUES AND EQUIPMENT

THEIR DUTIES SHALL BE TO ASSIST THE CHIEF AND ASSISTANT CHIEF IN THE PERFORMANCE OF THEIR DUTIES.

B) **THE SENIOR CAPTAIN** SHALL BE THE INDIVIDUAL, WITH THE GREATEST NUMBER OF YEARS IN THE POSITION OF CAPTAIN.

1. IN THE ABSENCE OF THE CHIEF AND ASSISTANT CHIEF, THE SENIOR CAPTAIN ON DUTY SHALL COMMAND THE DEPARTMENT AND BE RESPONSIBLE IN ALL ASPECTS WITH THE FULL POWERS AND RESPONSIBILITIES OF THE CHIEF DURING AN EMERGENCY.

2. IN THE ABSENCE OF ALL OFFICERS THE SENIOR FIREFIGHTER ON DUTY SHALL COMMAND THE DEPARTMENT AND BE RESPONSIBLE IN ALL ASPECTS WITH THE FULL POWER AND RESPONSIBILITIES OF THE CHIEF DURING AN EMERGENCY.

SECTION 3. SECRETARY - TREASURER

- A) ROLL CALL AT THE OPENING OF EACH MEETING.
- B) RECORDING THE MINUTES OF THE MEETING.
- C) COLLECTING ANY MONEY DUE THE DEPARTMENT BY THE MEMBERS.
- D) BILLING AND PROCESSING ALL RURAL EMERGENCY CALLS MADE BY THE DEPARTMENT.
- E) KEEPING ATTENDANCE RECORDS OF ALL MEMBERS FOR ANY FIRE CALLS THEY ATTEND.
- F) OTHER DUTIES AS ASSIGNED BY THE CHIEF.

SECTION 4. TRAINING OFFICER

THE TRAINING OFFICER OR HIS/HER DESIGNEE SHALL BE RESPONSIBLE FOR MAINTAINING THE MASTER FILE OF TRAINING RECORDS. THE TRAINING YEAR SHALL FROM MAY 1 THRU APRIL 30.

ONE MEMBER AT A TIME SHALL BE SELECTED AS **THE TRAINING OFFICER**, WHOSE DUTIES SHALL CONSIST OF THE FOLLOWING:

- A) SUBMIT A MONTHLY TRAINING SCHEDULE TO THE OFFICERS OF THE DEPARTMENT, FOR THEIR APPROVAL EACH MAY.
- B) CONFORM TO REQUIREMENTS OF THE TRAINING AS SET FORTH BY THE FEDERAL, STATE AND LOCAL REGULATIONS.
- C) SUBMIT A QUARTERLY REPORT (TRAINING YEAR QUARTER) OF ALL FIREFIGHTERS COMPLETED TRAINING HOURS TO THE DEPARTMENT AT THE REGULAR BUSINESS MEETING FOLLOWING THE END OF THE QUARTER.
- D) WORK TO MAINTAIN COMPETENCY IN THE FIELD OF FIREFIGHTER/RESCUE INSTRUCTION TECHNIQUES.
- E) WORK TO INVOLVE ANY AND ALL QUALIFIED INSTRUCTORS OF THE SVFD IN THE TRAINING.
- F) MAINTAIN INDIVIDUAL TRAINING RECORDS AT STATION #1 WHICH SHALL BE AVAILABLE FOR REVIEW BY THE INDIVIDUAL MEMBERS OF THE DEPARTMENT.

SECTION 5. INCIDENT COMMANDERS

THE INCIDENT COMMANDER (THE HIGHEST RANKING FIREFIGHTER AT AN INCIDENT) SHALL TAKE CONTROL OF THE SAFETY AT THE SCENE AND SHALL BE RESPONSIBLE FOR SAFETY OF ALL MEMBERS OF THE FIRE DEPARTMENT UNTIL THAT TIME WHEN IT IS DEEMED NECESSARY TO APPOINT A **SAFETY OFFICER** WHO SHALL BE OF OFFICER STATUS.

SECTION 6. SAFETY OFFICERS

THE SAFETY OFFICER SHALL HAVE THE AUTHORITY TO IDENTIFY AND CAUSE CORRECTION OF HEALTH AND SAFETY HAZARDS WHEN EMERGENCY PERSONNEL ARE UNNECESSARILY ENDANGERED.

SECTION 7. VOLUNTEER FIREFIGHTERS

- A) **ALL VOLUNTEER FIREFIGHTERS** HAVE A DUTY TO RESPOND TO ALARMS OF FIRE AND OTHER EMERGENCIES WHEN NOTIFIED.
- B) **VOLUNTEER FIREFIGHTERS** HAVE A DUTY TO BE PRESENT AT ALL BUSINESS AND TRAINING MEETINGS, AND SPECIAL TRAINING SCHOOLS PRESENTED FOR THE BENEFIT OF THE ENTIRE DEPARTMENT.
- C) **ANY VOLUNTEER FIREFIGHTER** HAVING TWO UNEXCUSED ABSENCES IN SUCCESSION, OR THREE UNEXCUSED ABSENCES IN A PERIOD OF THREE MONTHS, AS PERTAINING TO SUB-SECTION A AND B ABOVE SHALL BE SUBJECT TO DISCIPLINARY ACTION.
- D) **VOLUNTEER FIREFIGHTERS** LEAVING TOWN FOR AN EXTENDED PERIOD OF TIME ARE REQUIRED TO NOTIFY THE CHIEF OR SECRETARY-TREASURER.
- E) **ALL VOLUNTEER FIREFIGHTERS** SHALL COMPLETE THE MINIMUM NUMBER OF ANNUAL TRAINING HOURS AS REQUIRED TO MEET FEDERAL, STATE AND LOCAL REGULATIONS.

SECTION 8. NEW MEMBERS

- A) **NEW MEMBERS** SHALL BE SELECTED BY THE FIRE CHIEF, WITH THE APPROVAL OF THE CITY COUNCIL AND MUST BE A MINIMUM OF 18 YEARS OF AGE.
- B) **NEW MEMBERS** SHALL BE GOVERNED BY ALL RULES, REGULATIONS, AND STANDARD OPERATING PROCEDURES WHICH APPLY TO ALL VOLUNTEER FIREFIGHTERS.
- C) **NEW MEMBERS** SHALL BE ON PROBATION FOR A PERIOD OF ONE-YEAR AFTER THEIR APPOINTMENT, DURING WHICH TIME THEY SHALL COMPLETE THE MINIMUM NUMBER OF TRAINING HOURS AS REQUIRED TO MEET FEDERAL, STATE AND LOCAL REGULATIONS.
- D) **NEW MEMBERS** SHALL BE REQUIRED TO PASS A DRUG TEST BEFORE ACCEPTANCE AND AGAIN TESTED WHEN REQUIRED BY THE POLICIES OF THE CITY OF STILWELL OR BY STATE OR FEDERAL LAW.
- E) **NEW MEMBERS** SHALL HAVE AND MAINTAIN A VALID DRIVERS LICENSE AND MAINTAIN A GOOD DRIVING RECORD.

- F) **NEW MEMBERS MUST BE A MINIMUM OF 18 YEARS OF AGE.**

ARTICLE VII. TRAINING

EACH MEMBER OF THE STILWELL FIRE DEPARTMENT WILL BE REQUIRED TO HAVE A MINIMUM OF 24 HOURS TRAINING ANNUALLY OF THE DESIGNATED CORE COURSES AS SET FORTH BY THE OKLAHOMA STATE FIREFIGHTERS ASSOCIATION AND THE DEPARTMENT OF LABOR.

- A) THE CURRENT REQUIREMENT IS TO BE MET BY:

1. ATTENDING 6 HOURS OF TRAINING PER QUARTER OR EVERY 3 MONTHS.
2. THE FIRST QUARTER WILL CONSIST OF JANUARY, FEBRUARY, AND MARCH.
3. THIS TRAINING WILL BE OFFERED BY THE TRAINING OFFICER OR HIS DESIGNATED INSTRUCTOR AT THE RATIO OF AT LEAST 3 HOURS PER MONTH FOR THE ENTIRE TRAINING YEAR ON THE REGULAR TRAINING NIGHT OF EACH MONTH.
4. OTHER CLASSES MAY BE SCHEDULED ON VARIOUS OTHER NIGHTS.
5. THERE WILL BE MAKEUP CLASSES OFFERED PER QUARTER.
6. YOU MUST COMPLETE 6 HOURS PER QUARTER TO REMAIN IN GOOD STANDING WITH THE DEPARTMENT.

- B) IF A MEMBER FAILS TO COMPLETE 6 HOURS PER QUARTER:

1. HE OR SHE WILL BE PUT ON "REPORT" WHICH IS DEFINED AS FOLLOWS:
 - a. THE FIREFIGHTER WILL BE ALLOWED TO RESPOND TO THE STATION ONLY AND PERFORM STATION REQUIREMENTS AND DUTIES AS DESIGNATED BY THE OFFICER IN CHARGE.
 - b. THE FIREFIGHTER WILL NOT RECEIVE COMPENSATION FROM THE CITY OF STILWELL FOR THE TRAINING QUARTER THE FIREFIGHTER IS ON REPORT.
2. WILL BE REQUIRED TO MAKE UP ALL TRAINING HOURS MISSED
3. THE SAME RULE WILL APPLY TO THE SECOND, THIRD, AND FOURTH QUARTER
4. EXCUSED ABSENCES FROM TRAINING WILL BE GIVEN AT THE DISCRETION OF THE FIRE CHIEF AND DEPARTMENT OFFICERS FOR REASONS THAT THEY DEEM TO BE JUSTIFIED.
5. ONLY EXCUSED ABSENCES WILL ENABLE A FIREFIGHTER TO ATTEND THE MAKEUP CLASS AT THE END OF THE QUARTER.

- C) IF A MEMBER IS FOUND TO BE IN NONCOMPLIANCE WITH THIS POLICY FOR TWO CONSECUTIVE TRAINING QUARTERS, IN ADDITION TO BEING PLACED ON REPORT, THE CHIEF, ASSISTANT CHIEF AND SENIOR CAPTAIN SHALL FORWARD THEIR WRITTEN RECOMMENDATION FOR EXPULSION FROM THE DEPARTMENT IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN ARTICLE XI.

ARTICLE VIII. ATTENDANCE

- A) EACH FIREFIGHTER IS REQUIRED TO RESPOND TO A MINIMUM OF 25 % OR ONE QUARTER OF ALL LOGGED RUNS MADE DURING EACH QUARTER OF THE YEAR.

B) RESPONDING SHALL INCLUDE RESPONDING TO THE SCENE OR TO THE STATION, BUT SHALL NOT INCLUDE BEING ON STANDBY.

C) ANY MEMBER FAILING TO MEET THE MINIMUM RUN REQUIREMENT WITHIN ANY QUARTER OF THE YEAR WILL BE PLACED ON REPORT, AS DEFINED IN ARTICLE VII (B) (1), UNLESS ABSENCES CAUSING THE DEFICIENCY ARE FOUND TO BE EXCUSABLE.

D) EXCUSED ABSENCES SHALL INCLUDE, BUT NOT NECESSARILY BE LIMITED TO:

1. SICKNESS,
2. INJURY,
3. DEATH IN THE FAMILY,
4. EXTENDED TRIPS,
5. OTHER UNFORESEEABLE EVENTS

WHICH PRECLUDE THE FIREFIGHTER FROM RESPONDING.

E) AN INVESTIGATION AND DECISION BY THE CHIEF WILL DETERMINE WHETHER ANY GIVEN ABSENCE IS EXCUSED, SUBJECT TO POSSIBLE REVIEW BY THE MAYOR AND/OR CITY COUNCIL.

C) IF A MEMBER IS FOUND TO BE IN NONCOMPLIANCE WITH THIS POLICY FOR TWO CONSECUTIVE TRAINING QUARTERS, IN ADDITION TO BEING PLACED ON REPORT, THE CHIEF, ASSISTANT CHIEF AND SENIOR CAPTAIN SHALL FORWARD THEIR WRITTEN RECOMMENDATION FOR EXPULSION FROM THE DEPARTMENT IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN ARTICLE XI.

ARTICLE IX. LEAVE OF ABSENCE

A FIREFIGHTER MAY REQUEST A LEAVE OF ABSENCE FOR NO LESS THAN 7 DAYS IN SUCCESSION OR MORE THAN 6 MONTHS IN ACCORDANCE WITH THE STILWELL PERSONNEL POLICY HANDBOOK.

A) A FIREFIGHTER ON LEAVE OF ABSENCE WILL BE EXEMPT FROM THE RUN ATTENDANCE POLICY.

B) THE FIREFIGHTER WILL BE REQUIRED TO MAKE UP ANY TRAINING MISSED DURING THE LEAVE BY THE END OF THE NEXT QUARTER AND MAINTAIN NORMAL TRAINING REQUIREMENTS.

ARTICLE X. PERSONAL PROTECTIVE EQUIPMENT

APPROPRIATE PERSONAL PROTECTIVE EQUIPMENT (P.P.E.) SHALL BE WORN ON ALL INCIDENT SCENES.

A) APPROPRIATE P.P.E. SHALL BE REQUIRED BY THE OFFICER IN CHARGE OF THE SCENE, IN ACCORDANCE WITH THE FOLLOWING GENERAL POLICIES:

1. FULL TURN OUT (BUNKER GEAR) SHALL BE DONNED ON ALL STRUCTURE FIRES AND RESCUE OPERATIONS.
2. S.C.B.A. SHALL BE DONNED DURING ANY OPERATIONS INVOLVING A POTENTIAL

EXPOSURE RISK TO HARMFUL ELEMENTS OF ANY NATURE.

3. APPROVED REFLECTIVE P.P.E. SHALL BE DONNED DURING ANY OPERATIONS INVOLVING POTENTIAL TRAFFIC HAZARDS.

B) ANY MEMBER FAILING TO COMPLY WITH THE ABOVE POLICY SHALL BE CITED FOR THE INFRACTION BY THE OFFICER IN CHARGE, WHO SHALL REQUIRE THE MEMBER TO IMMEDIATELY DON APPROPRIATE P.P.E., OR OTHERWISE LEAVE THE INCIDENT SCENE AND REPORT TO THE STATION. THE INFRACTION SHALL ALSO BE NOTED IN THE MEMBER'S PERSONAL FILE BY THE CHIEF.

C) ANY MEMBER RECEIVING THREE OR MORE INFRACTIONS WITHIN A THREE-MONTH PERIOD SHALL BE DEEMED IN VIOLATION OF THIS POLICY AND PLACED ON REPORT FOR ONE TRAINING QUARTER.

D) IF A MEMBER IS FOUND TO BE IN NONCOMPLIANCE WITH THIS POLICY FOR TWO CONSECUTIVE TRAINING QUARTERS, IN ADDITION TO BEING PLACED ON REPORT, THE CHIEF, ASSISTANT CHIEF AND SENIOR CAPTAIN SHALL FORWARD THEIR WRITTEN RECOMMENDATION FOR EXPULSION FROM THE DEPARTMENT IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN ARTICLE XI.

ARTICLE XI. TYPES OF DISCIPLINARY ACTION

THE CITY ATTORNEY AND THE HUMAN RESOURCES DEPARTMENT SHALL BE NOTIFIED IN WRITING OF ANY AND ALL DISCIPLINARY ACTIONS.

ITEMS OF GRIEVANCE AGAINST MEMBERS OF THE DEPARTMENT REGARDLESS OF RANK WILL BE SUBMITTED TO THE MAYOR'S OFFICE FOR REVIEW. THE MAYOR'S OFFICE AND THE CHIEF OF POLICE WILL THEN DETERMINE IF AN INTERNAL OR EXTERNAL INVESTIGATION OF THE ISSUE IS WARRANTED.

ALL ACTIONS SHALL BE TAKEN IN COMPLIANCE WITH THE PERSONNEL POLICY HANDBOOK.

A) APPEAL OF DISCIPLINARY ACTION:

DISCIPLINARY ACTION MAY BE APPEALED AS OUTLINED IN THE CITY OF STILWELL PERSONNEL POLICY HANDBOOK.

B) INFRACTIONS

DISCIPLINARY ACTION CAN BE TAKEN FOR A VARIETY OF CIRCUMSTANCES. INFRACTIONS SHALL INCLUDE BUT ARE NOT LIMITED TO:

- 1) ANY ILLEGAL OR UNETHICAL ACT
- 2) ANY UNSAFE ACT
- 3) VIOLATION OF SAFETY PROCEDURES
- 4) INSUBORDINATION
- 5) INEFFICIENCY
- 6) NEGLECT OR ABANDONMENT OF DUTY
- 7) PARTICIPATION IN PROHIBITED POLITICAL ACTIVITY

- 8) SOLICITATION
- 9) ABUSE OF ILLNESS, INJURY, DISABILITY OR OTHER COMPENSATED LEAVE.
- 10) ATTENDANCE
- 11) ABSENCE WITHOUT LEAVE
- 12) FALSIFICATION OF RECORDS AND/OR DOCUMENTS
- 13) USING OR BEING UNDER THE INFLUENCE OF DRUGS OR INTOXICATION BEVERAGES WHILE ON DUTY.
- 14) WASTE, DAMAGE OR UNAUTHORIZED USE OF CITY SUPPLIES, EQUIPMENT OR OTHER PROPERTY.
- 15) CONDUCT UNBECOMING A FIREFIGHTER
- 16) HORSEPLAY RESULTING IN PERSONAL INJURY OR DAMAGE TO PROPERTY
- 17) CONVICTION OF A FELONY
- 18) ANY OTHER INAPPROPRIATE BEHAVIOR AS DETERMINED BY THE CHIEF
- 19) NOT MAINTAINING A VALID DRIVER LICENSE, OR NOT MAINTAINING A GOOD DRIVING RECORD
- 20) REFUSING TO ATTEND TRAINING
- 21) VIOLATION OF APPLICABLE CITY OF STILWELL PERSONNEL POLICIES

ARTICLE XII. MEETINGS

ALL MEETINGS OF THE STILWELL VOLUNTEER FIRE DEPARTMENT SHALL BE OPEN TO THE PUBLIC, AND SHALL CONFORM TO THE REQUIREMENTS OF THE OKLAHOMA OPEN MEETING ACT. THE AGENDA SHALL BE POSTED AT THE PLACE OF MEETING AND AT CITY HALL.

SECTION 1. THERE SHALL BE A REGULAR BUSINESS MEETING OF THE FIRE DEPARTMENT TO BE HELD EACH MONTH ON THE DAY SET FORTH BY THE DEPARTMENT.

SECTION 2. THERE SHALL BE A REGULAR TRAINING MEETING OF THE FIRE DEPARTMENT EACH MONTH ON THE DAY SET FORTH BY THE DEPARTMENT, AND ANY OTHER TRAINING PERIOD AS REQUIRED TO MEET FEDERAL, STATE AND LOCAL REGULATIONS.

SECTION 3. THERE MUST BE A SIMPLE MAJORITY OF 51% OF THE TOTAL MEMBERSHIP PRESENT TO CONSTITUTE A QUORUM. A QUORUM MUST BE PRESENT BEFORE ANY BUSINESS MAY BE CONDUCTED. EXCEPT WHERE THESE BYLAWS PROVIDE OTHERWISE, ALL QUESTIONS SHALL BE DECIDED BY MAJORITY VOTE. A ROLL CALL VOTE MAY BE TAKEN IF APPROVED BY A MAJORITY OF THOSE PRESENT,

SECTION 4. THE FIRE CHIEF WILL ESTABLISH THE AGENDA. ANYONE REQUESTING AN ITEM BE ADDED TO THE AGENDA WILL SEND A WRITTEN REQUEST TO THE CHIEF AT LEAST 3 BUSINESS DAYS BEFORE THE MEETING. THE FIRE CHIEF IS REQUIRED TO LIST THE REQUESTED AGENDA ITEM, PROVIDED IT IS RELATED TO THE FIRE DEPARTMENT OPERATION AND/ OR EQUIPMENT.

SECTION 5. IN THE ABSENCE OF THE CHIEF, THE NEXT RANKING OFFICER SHALL CONDUCT THE MEETING.

SECTION 6. SPECIAL MEETINGS MAY BE CALLED BY THE CHIEF, ASSISTANT CHIEF, OR THE MAYOR AND MUST BE IN ACCORDANCE WITH THIS ARTICLE.

SECTION 7. ALL FIREFIGHTERS SHALL BE NOTIFIED OF EACH MEETING IN A TIMELY MANNER.

SECTION 8. AT EACH MEETING OF THE FIRE DEPARTMENT THE FOLLOWING ORDER OF BUSINESS SHALL BE FOLLOWED UNLESS DISPENSED WITH BY A MAJORITY VOTE OF THE MEMBERS PRESENT:

- 1) ROLL CALL
- 2) READING OF MINUTES OF PREVIOUS MEETING
- 3) COMMENTS FROM THE PUBLIC
- 4) REPORT FROM OFFICERS
- 5) REPORT FROM SECRETARY
- 6) NEW BUSINESS
- 7) ADJOURNMENT

ARTICLE XIII DUES

DUES, IF ANY, WILL BE SET BY A SIMPLE MAJORITY VOTE OF THE MEMBERS OF THE DEPARTMENT. ANY MONIES SO COLLECTED SHALL BE RESTRICTED FOR USE ONLY AS APPROVED BY THE MEMBERSHIP OF THE DEPARTMENT.

ARTICLE XIV FINES

FINES, IF ANY, WILL BE SET BY SIMPLE MAJORITY VOTE OF THE MEMBERS OF THE FIRE DEPARTMENT. ANY MONIES SO COLLECTED SHALL BE DEPOSITED UNDER THE SAME GUIDELINES AS RESTRICTED DUES.

ARTICLE XV. RULES, REGULATIONS AND STANDARD OPERATING PROCEDURES

RULES, REGULATIONS, AND STANDARD OPERATING PROCEDURES WILL BE RECOMMENDED BY THE CHIEF AND SUBMITTED TO BOTH THE MAYOR'S OFFICE AND CITY COUNCIL FOR APPROVAL.

ARTICLE XVI. REPEAL AND SEVERABILITY

SECTION 1. ANY AND ALL OTHER EXISTING ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH BE AND THE SAME ARE HEREBY REPEALED.

SECTION 2. THE PROVISIONS OF THIS ORDINANCE SHALL BE SEVERABLE AND, IF ANY OF THE PROVISIONS SHALL BE HELD IN CONTRAVENTION OF THE CONSTITUTION AND LAWS OF THE STATE OF OKLAHOMA, THE DECISIONS OF THE COURT SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS.

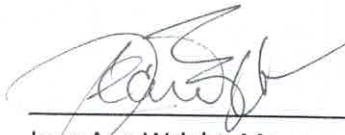
SECTION 3. IT IS THE INTENT OF THIS ORDINANCE THAT THE SAME WOULD HAVE BEEN ADOPTED HAD SUCH UNCONSTITUTIONAL OR UNLAWFUL PROVISIONS, IF ANY, NOT BEEN INCLUDED HEREIN.

PASSED BY THE CITY COUNCIL THIS 23rd DAY OF JANUARY, 2025.

I-2025-000358 Book 0631 Pg 112
02/04/2025 2:49pm Pg 0101-0118
Fee: \$52.00 Doc: \$0.00
Timothy Fishinghawk - Adair County Clerk
State of OK

APPROVED BY THE MAYOR THIS 23rd DAY OF JANUARY, 2025.

ATTEST:



Jean Ann Wright, Mayor



Larry A. Nettles, City Clerk-Treasurer

